SINGLE BENCH

(1) (5)

of 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (S) NO. 713 /2007

PETITIONERS : Pradeep Kumar Venkatesh
S/o Shri K. S. Venkatesh, aged
About 38 years, Assistant Teacher
Primary School Kathora Salora (ka)
Block Katghora, Dist. Korba
Chhattisgarh

1126/07
Arun Vegan
8/2/07
P. H. No.
Presented on
dated

VERSUS

RESPONDENTS : 1. State of Chhattisgarh
Through the Secretary
Tribal Welfare Department
D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh

RECEIVED COPY
8/2/07
CLERK to A. G. BILASPUR

2. Secretary
School Education Department
D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh

OATH COMMISSIONER
APARNA MALVIYA
CG2073/96
Bilaspur Chhattisgarh

3. Commissioner Tribal Welfare
Chhattisgarh Government
D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh

4. Block Development Education
Officer, Block Katghora, Dist.
Korba, Chhattisgarh

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND FOR ISSUANCE OF OTHER SUITABLE WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS

HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 913 of 2007

Petitioner : Pradeep Kumar Ventatesh

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Mr. Amrito Das, Advocate for the Petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the respondents/State.

ORDER

(Passed on this 15th day of February, 2007)

1. The petitioner is working as Assistant Teacher in the government school. In the course of his service as Assistant Teacher, the petitioner has obtained B.Ed. Examination Certificate on his own expenses in the year 1995-96.

2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B.Ed. Examination Certificate on his own expenses, is entitled to two advance increments.

3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers,

(30)

who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 (Annexure P/7) issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu